

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

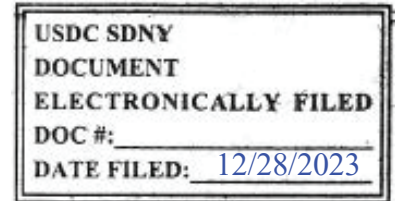
BIG BEN INC., et al.,

Plaintiffs,

-v.-

KAPITUS SERVICING INC., et al.,

Defendants.



22 Civ. 09616 (JHR)

ORDER OF DISMISSAL

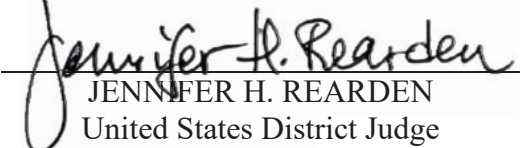
JENNIFER H. REARDEN, District Judge:

The Complaint in this action was filed on November 10, 2022. *See* ECF No. 1. On October 23, 2023, following reassignment to this Court, Plaintiffs were directed to “file a letter explaining why [they] ha[d] failed to serve the summons and Complaint within the 90 days prescribed by Rule 4(m) of the Federal Rules of Civil Procedure or, if Plaintiff[s] believe[d] that Defendants ha[d] been served, when and in what manner such service was made.” ECF No. 3. The Court notified Plaintiffs that if they “fail[ed] to file a letter by November 6, 2023, showing good cause why such service was not made within 90 days, the Court may dismiss the case without further notice.” *Id.* Plaintiffs did not file anything by the deadline.

Accordingly, the Complaint is DISMISSED without prejudice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. Any pending motions are moot. All conferences are canceled. The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: December 28, 2023
New York, New York


JENNIFER H. REARDEN
United States District Judge